REMARKS

The remarks below respond to the Office Action mailed July 10, 2006. Applicants acknowledge the telephonic interview between the undersigned and Examiner M. Alexandra Elve on October 31, 2006. The objection to the drawings, the rejection under 35 U.D.C. 112, second paragraph, and claims 47-54 were discussed.

Objection to the Drawings

The Examiner has objected to the drawings filed on December 27, 2000. Applicants note the Examiner's objection. Formal drawings will be filed upon receipt of a notice of allowable subject matter.

Rejection Under 35 U.S.C. 112

Claims 47-54 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants have amended claim 47. Support for this amendment may be found in the specification at paragraphs **0017-0018** and in **Figure 1**. Applicants submit that this amendment to claims 47-54 overcomes the Examiner's rejection under 35 U.S.C. 112, second paragraph.

Rejection Under 35 U.S.C. 103

Claims 1-8, 16-19, 31-36, and 47-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bartlett (WO 01/05331 A1) in view of Svercl et al. (UK 1,449,541). Applicants traverse this rejection and submit that the Examiner has not established a *prima facie* case of obviousness with respect to the claims.

The present invention claims a method of cutting stent stock. Claims 1-8, 16-19, and 31-36 each use, among other steps, a two step cutting process in which the stent stock is rotated in a first direction and, while being so rotated, a first set of strands of the stock is cut. Once the first set of strands is cut, the stent stock is rotated in a direction opposite that of the first direction and a second set of strands is cut. In both steps, cutting of only the desired set of strands occurs.

Claims 47-54 are directed to, *inter alia*, a method of fabricating a stent in which the step of cutting the strands forms a sphere on the upper end of each strand. This is accomplished by melting a predetermined length of the upper end of each strand. The predetermined length is defined by the width of the path traveled by the melting source and the acclivitous angle at which the upper end of the strand and the melting source meet each other.

Neither of the references cited by the Examiner teach any of the steps required by the present claims.

Bartlett discloses a radially self-expanding stent. The method of making the stent taught by Bartlett comprises providing a braided, generally tubular structure around a mandrel, severing the filaments of the tubular structure, bending or aligning pairs of the severed ends of the filaments in a parallel manner, and welding the ends of the pairs of the filaments together. See page 12, line 12 through page 13, line 2 of the Bartlett reference.

It is clear form this disclosure that Bartlett lacks any teaching or suggestion of the two step cutting process of claims 1-8, 16-19, and 31-36. Additionally, Bartlett lacks any teaching or suggestion that only one set of strands is cut during each of the two cutting steps as is required by claims 1-8, 16-19, and 31-36.

It is also clear that Bartlett lacks any teaching or suggestion of the cutting step of claims 47-54. Thus it is silent with respect to melting a predetermined length of the upper end of each strand in the stent material to form a sphere on the upper end. Bartlett is also silent with respect to the requirement of claims 47-54 that the predetermined length is defined by an effective melting source path width and by an acclivitous angle at which the upper end and the melting source contact each other.

Svercl et al discloses a method for the manufacture of tubular articles. It is silent with respect to the manufacture of braided stents. Svercl et al also is silent with respect to cutting the ends of the work piece as is required by the present claims. In fact, Svercl et al is silent with respect to cutting the work piece. To the contrary, Svercl et al only teaches the use of welding a longitudinal seam to join the edges of the work piece together to form the tubular article. See page 2, line 25 through page 3, line 124.

Even when the combination of Svercl et al with Bartlett is made, it does not provide the invention claimed in any of claims 1-8, 16-19, 31-36, and 47-54. What results is a process in which a braided flat sheet is wrapped around a mandrel so that the edges of the sheet form a longitudinal seam. The edges of the sheet are then welded to one another to form the tubular article. All of the ends of the strands that form the braid are then cut in a single step. Individual pairs of the ends of the strands are then aligned with each other. Each pair of strands is then welded together. This is not what Applicants have claimed.

Based on the preceding discussion, Applicants submit that they have shown that the claims are patentable. The Examiner is invited to contact the undersigned, at the Examiner's convenience, should the Examiner have any questions regarding this communication or the present patent application.

Respectfully Submitted,

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